



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं० १३]

नई दिल्ली, शनिवार जून ९, १९७३ (ज्यैष्ठ १९, १८९५)

No. 13]

NEW DELHI, SATURDAY, JUNE 9, 1973 (JYAISTHA 19, 1895)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके  
(Separate paging is given to this Part in order that it may be filed as a separate compilation)

## भाग III—खण्ड ३

### (PART III—SECTION 3)

लघु प्रशासनों से सम्बन्धित अधिमूचनाएं

(Notifications relating to Minor Administrations)

#### UNION TERRITORY OF DADRA AND NAGAR HAVELI

*Silvassa, the 18th May 1973*

No. ADM/Law/73.—In exercise of the powers conferred by clause(r) of sub-section (2) of section 66 of the Dadra and Nagar Haveli Village Panchayats Regulation 1965 (No. 3 of 1965) read with Item No. 2(6) of the second schedule attached to the said Regulation, the Administrator, Dadra and Nagar Haveli, hereby makes the following rules namely :—

1. *Short title.*—These rules may be called the Dadra and Nagar Haveli Village Panchayat (Regulation of Building) Rules, 1973.

2. *Extent.*—They shall apply to the whole of the Union Territory of Dadra and Nagar Haveli.

3. *Date of commencement.*—They shall come into force immediately.

4. *Definition.*—In these rules, unless the context otherwise required :—

(i) 'Collector' means the Collector of Dadra and Nagar Haveli.

(ii) 'Construction' includes reconstruction and also the addition or alteration to any existing building.

(iii) 'Executive Engineer' means the Executive Engineer, Public Works Department, Dadra and Nagar Haveli or any officer authorised by him.

(iv) 'Owner' in respect of any plot means the person who receives the rent of the said premises, or who would be entitled to receive the rent thereof if the premises were let out and includes—

(a) an agent, or trustee, who receives such rent on account of the owner;

(b) an agent, or trustee, who receives the rent of any premises devoted to religious or charitable purposes;

(c) a receiver, administrator or manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of, an owner of any premises and

(d) A mortgagee in possession.

(v) 'Panchayat' means a village Panchayat constituted under the Regulation.

(vi) 'Plot' means a continuous portion of land held in one ownership.

(vii) 'Regulation' means the Dadra and Nagar Haveli Village Panchayats Regulation, 1965.

(viii) 'Residence' means the use for human habitation of any land or building or part thereof and includes gardens, garages, stables and outhouses, if any, and appurtenant to such building and 'residential' shall be construed accordingly.

(ix) 'Section' means a section of the Regulation.

(x) 'Zoning Plan' means a plan approved as such by the Administrator specifying zones in any area for residential, industrial, agricultural or other use.

5. (i) From the date of coming into force of these rules, no construction shall be made in any area for which a zoning plan exists except with prior permission of the Panchayat in writing.

(ii) Such permission by the Panchayat shall be in conformity with the zoning Plan.

6. Procedure for submission and scrutiny of application for permission :—

(a) An application for permission referred to in Rule (5) above shall be in writing and shall be accompanied by a sketch of the proposed construction clearly showing the boundaries of the plot.

(b) Receipt of the application will be acknowledged forthwith.

(c) On receipt of the application, the Panchayat shall cause a public notice to be published on the proposed site and in the office of the Panchayat declaring the intention of the applicant and inviting objections, if any, from the public at large within a period of seven days.

(d) On receipt of the objections, if any, the Panchayat shall resolve to give or refuse the permission.

Provided that when the permission is refused, the Panchayat shall record the reasons for refusal in writing.

(c) No permission shall be refused except on the grounds that the proposed construction is not in conformity with the Zoning plan or with these rules and

(f) permission shall not be granted for any construction which is not in conformity with the Zoning plan except with the prior concurrence of the Secretary to the Administrator.

(g) Before granting or refusing permission, the Panchayat may obtain comments from the Executive Engineer regarding the conformity of the proposed construction with the Zoning plan or these rules.

(h) The decision on every application shall be communicated to the applicant by the Panchayat within a period of two months from the date of receipt of the application and when the decision is not communicated to the applicant within the prescribed time limit, it shall be presumed that such permission is granted.

7. *Appeal*.—An appeal shall lie to the Collector or any officer authorised by the Administrator in this behalf within 30 days from the date of communication of the Panchayat's decision under Rule 6 and his decision in the appeal shall be final.

8. *Revision*.—The Collector may, at any time call for the papers of any case from the Panchayat with a view to ascertaining its legality and propriety and may stay the execution of any order passed by the Panchayat and may, after giving opportunity to be heard to the parties concerned rescind, reverse or modify any order passed by the Panchayat.

Provided that no order requiring the whole or partial demolition of a building for which the Panchayat has granted permission shall be made by Collector if a period of sixty days has expired after the completion of the building.

9. Permission for construction shall be given subject to the following conditions :—

(i) Construction of a building on a plot having frontage on a classified road such as a National Highway, State Highway, Major Dist. Road, other Dist. Road, or Village Road shall be made in accordance with such standards as may be prescribed by or under any law for the time being in force.

(ii) Every new building shall be provided a clear access not less than three metres in width from a street to the entrance door of such building.

(iii) No new building shall be erected so as to deprive any other building of the means of access thereto.

(iv) Every habitable room shall have for the admission of light and air, one or more apertures such as windows, lights etc.

10. The person granted permission under Rule 5 above, shall have to make all necessary sanitation arrangements and such other arrangements for the disposal of waste water and night soil by getting connection to the arrangement, if any, made by the Panchayat or by constructing soakage pit and water sealed latrine.

11. In case of the construction made in contravention of the foregoing rules, the Panchayat shall give a written notice to the owner requiring him to demolish the construction within a reasonable period not less than seven days. If the owner fails to comply, the construction shall be removed by the Panchayat at the cost and risk of the owner, and the cost shall be recoverable as a due to the Panchayat under section 44 of the Regulation.

12. Notwithstanding anything contained in the foregoing rules, any construction work which is in progress on the date of commencement of these rules shall be deemed to have been permitted under these rules.

The 11th May 1973

No. ADM/LAW/223.—In exercise of the powers conferred by sub-section (2) of Section 13 of the Bombay Motor Vehicles Tax Act, 1958 (Bom. LXV of 1958), as extended to the Union Territory of Dadra and Nagar Haveli, the Administrator Dadra and Nagar Haveli, Silvassa, hereby exempts totally with effect on and from the 1st April, 1973, the Class of Motor Vehicles specified in the schedule appended hereto from the payment of tax.

#### SCHEDULE

(1) A public goods vehicle of the State of Gujarat covered under the public carrier permit issued by the Transport authority of that State and countersigned by the Registering, Licensing and Taxation Authority, Dadra and Nagar Haveli, Silvassa.

(2) A private goods vehicle of Gujarat State operating under the countersignature granted by the Registering, Licensing and Taxation Authority, Dadra and Nagar Haveli, Silvassa.

(3) The vehicles owned by the State Government of Gujarat and used for non-commercial purpose.

By order of the Administrator

Sd. ILLEGIBLE  
Secretary to the Administrator  
Dadra and Nagar Haveli  
Silvassa